



## AMERICAN COUNCIL ON SCIENCE AND HEALTH

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March 12, 2009

The Honorable Steve Buyer  
2230 Rayburn House Office Building  
Washington, D. C. 20515

The Honorable Mike McIntyre  
2437 Rayburn House Office Building  
Washington, D. C. 20515

Dear Representative Buyer and Representative McIntyre:

On behalf of the more than 400 scientists who advise our organization, and the hundreds of thousands of consumers we represent, thank you for your work on HR 1261. Our scientists understand the urgent need to reduce the dreadful toll of cigarettes on the American people--with over 400,000 smoking-related deaths each and every year in our country. Your bill is a tougher, science-based alternative to Rep. Waxman's HR 1256.

HR 1256 will not only fail to reduce the ravages of cigarette-induced disease and death--it will likely worsen it. The new regulation of tobacco "additives" will not lower the toxic and carcinogenic mixture induced by the combustion and inhalation of cigarette smoke. The enhanced restrictions on lower-risk tobacco products, such as smokeless tobacco and "clean" nicotine--which have been shown to assist addicted smokers in quitting--will condemn the over 40 million addicted smokers to the same old "quit or die" pair of options.

Successful quit rates are under 20% utilizing the currently-approved remedies. The Waxman legislation would codify this failed policy into law.

Perhaps the worst aspect of this Waxman approach is that it gives FDA responsibility for overseeing tobacco issues. This will allow the cigarette makers to cloak themselves in the mantle of being "FDA Approved," shielding them from liability for their irresponsible marketing schemes and manipulation of cigarettes' addiction capabilities.

Your bill--HR 1261--will obviate most of the detrimental and counter-productive effects of the Waxman bill. Truthfully telling the American consumer about lower-risk tobacco products--harm reduction rather than "quit or die"--along with stringent marketing restrictions and attention-getting warning labels, and the establishment of a tobacco-regulation section in the Department of Health and Human Services--not the FDA--will all be of major benefit in reducing the toll of cigarettes in America.

Sincerely,

Dr. Elizabeth M. Whelan  
President

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